

REMARKS

As a preliminary matter, Applicant appreciates the Examiner's indication of allowable subject matter contained in claims 13-19. Claim 13 is written in independent form, and therefore in condition for allowance.

Claims 1-2 stand rejected under 35 U.S.C. 102(b) as being anticipated by Clowers (U.S. Patent No. 4,856,394). In response, Applicant amended claim 1 to emphasize pre-existing differences in the present invention and the prior art. More specifically, Applicant amended claim 1 to clarify that the "...saw blade depth detent is biased toward a second member having a plurality of space saw blade depth recesses ...", and respectfully traverses because Clowers fails to disclose or suggest the present invention as recited in amended claim 1.

Clowers is cited by the Examiner as disclosing a housing 20 that includes a depth limiting stop plate 80 that has slot 82 and a depth limiting ear 84. (See Col. 4, lns. 22-29). The depth of a desired cut can be selected by an operator by prepositioning the depth limiting ear 84 against one of a number of tabs 58 on a support plate 54. (Col. 5, lns. 22-26). However, the stop plate 80 identified by the Examiner as a saw blade depth detent is not biased toward a second member, which is identified by the Examiner as the support member 54.

In contrast, as shown in FIG. 1, for example, a saw blade depth detent 32 is biased against a bracket 28 which includes grooves or recesses 56. A spring 34 has an end portion 36 engaging the detent 32 and an opposite end portion 38 attached to a bolt 40, which

pivotably biases the detent against the bracket 28. (See FIG. 2 and Applicant's Specification page 6, lines 1-8). Since Clowers fails to disclose, teach, or suggest a saw blade depth adjustment detent mechanism biased toward a second member, withdrawal of the §102 rejection of independent claim 1, as amended, and its dependent claim 2 is respectfully requested.

Claims 3, 12 and 20-21 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Clowers in view of Lewin et al. (U.S. Patent No. 6,691,418). Applicant traverses the rejection of claim 3 for the reasons recited above with respect to the §102 rejection of independent claim 1. With respect to the rejection of claims 12 and 20-21, Applicant amended independent claims 12 and 21 to clarify that the "...saw blade depth detent is biased toward a second member...", and respectfully traverses.

The deficiencies of Clowers is discussed above with respect to the §102 rejection. Lewin also fails to overcome the deficiencies of the Clowers reference. Lewin discloses a sliding height bracket 20 and an attachment bracket 22 for adjusting the depth of the saw blade relative to the base plate 12 of the saw 10. (See Col. 5, lns. 42-47).

Lewin further discloses fine adjustment of the cutting blade by using an adjustment mechanism 28. (See Col. 5, lns. 51-64). However, Lewin does not teach a saw blade depth detent biased toward a second member defining a plurality of spaced saw blade depth recesses, as now recited in the amended claims. Therefore, even if Lewin is combined with Clowers, the combination fails to disclose, teach, or suggest the present invention.

In contrast, as discussed above, the present invention has a saw blade depth detent 32 biased towards a bracket 28. In this manner, the present invention advantageously

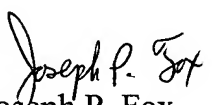
allows for selective adjustment of the depth of cut of the circular saw 10 without having to forceably manipulate a clamp or other mechanism to lock the saw blade 12 into position. (See Applicant's Specification, page 5, lines 25-28). Moreover, the present invention advantageously allows for quick selection of alternative saw blade depths since a user merely needs to overcome the biasing force on the saw blade depth detent 32 to select a new saw blade depth. Since the cited references fail to disclose or suggest these features, or achieve the advantages discussed above, withdrawal of the §103 rejection of claims 3, 12, and 20-21 is respectfully requested.

For all of the foregoing reasons, Applicants submit that this Application is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney if an interview would expedite prosecution.

Respectfully submitted,

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